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 9 Attorneys for Plaintiff

Karen Johnson

10 MONTANA FOURTH JUDICIAL DISTRICT COURT, MISSOULA COUNTY

11 WALLIS ROBERTSON,

12 Plaintiff,

13 -vs-

14 LOWES HIW, INC.,

Defendant.

Dept. No. 2

Cause No. DV-09-300

**COMPLAINT AND DEMAND  
FOR JURY TRIAL**

15 COMES NOW the Plaintiff, by and through counsel of record, and hereby  
 16 alleges the following Complaint:

- 17 1. Plaintiff Wallis Robertson is and was, at all times relevant to this  
 18 Complaint, a resident of Missoula County, Montana.
- 19 2. Defendant Lowe's HIW, Inc., is a North Carolina corporation whose  
 20 principal offices are located in Mooresville, North Carolina.
- 21 3. Defendant Lowe's HIW, Inc., is registered to do business with the  
 22 Secretary of State for the State of Montana.
- 23 4. Defendant Lowe's HIW, Inc., maintains a store in Missoula,  
 24 Montana, located at 3100 N. Reserve St., Missoula, Montana.

25 **GENERAL ALLEGATIONS**

- 26 5. Plaintiff re-alleges Paragraphs 1-4 above as if fully incorporated  
 27 herein.

28 COMPLAINT AND DEMAND FOR JURY TRIAL - Page 1

**COPY**

**EXHIBIT**

**A**



1 15. Plaintiff's discharge was not for good cause and was a violation of  
2 the Montana Wrongful Discharge from Employment Act, Mont. Code Ann. § 39-  
3 2-904(2), because Defendant lacked reasonable job-related grounds for the  
4 termination.

5 16. Plaintiff's discharge was in violation of the express personnel policies  
6 of the Defendant and was a violation of the Montana Wrongful Discharge from  
7 Employment Act, Mont. Code Ann. § 39-2-904(1).

8 WHEREFORE, Plaintiff requests that this Court grant judgment against  
9 Defendant as follows:

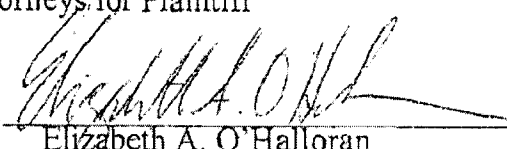
10 1. For all remedies and damages under Mont. Code Ann. § 39-2-905,  
11 including lost wages and loss of other employee fringe benefits, plus interest  
12 thereon in an amount to be determined at trial;

13 2. For costs of suit; and,

14 3. For such other and further relief as this Court deems just and proper.

15 DATED this 27<sup>th</sup> day of February, 2009.

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23 By:   
24 Elizabeth A. O'Halloran  
25  
26  
27  
28

1                                    **DEMAND FOR JURY TRIAL**

2            COMES NOW the Plaintiff and demands a jury trial on all issues of fact in  
3 the above case.

4            DATED this 27<sup>th</sup> day of February, 2009.

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